

Remarks

The Specification was amended to include sequence identifications numbers which were omitted at the time of filing.

Attached hereto is a marked-up version of the changes made to the specification by the current amendment. The attached page is captioned "Version with markings to show changes made."


The undersigned hereby states that the computer readable form copy (CFR copy) of the Sequence Listing and the paper copy of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.825(a) and (b), respectively, are the same and contain no new matter. Accordingly, entry of the Sequence Listing into the above-captioned case is respectfully requested.

In the unlikely event that the transmittal letter is separated from this sequence listing and the U.S. Patent Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this sequence listing to our Deposit Account No. 03-1952. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: July 23, 2001

By:


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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Specification:

- On page 4, line 11, after "GGC" insert --(SEQ ID NO:1)--;
- On page 8, line 2, after "promoter" insert --(SEQ ID NO:6)--;
- On page 8, line 14, after "promoter" insert --(main chain - positions 462-491 of SEQ ID NO:6;complementary chain - SEQ ID NO:7)--;
- On page 9, line 2, after "element" insert --(main chain - positions 474-487 of SEQ ID NO:6; complementary chain - SEQ ID NO:8)--;
- On page 22, line 22, after "AAG-3' " insert --(SEQ ID NO:2)--;
- On page 22, line 24, after "AGC-3' " insert --(SEQ ID NO:3)--;
- On page 25, line 21, after "GGT-3' " insert --(SEQ ID NO:4)--;
- On page 25, line 22, after "TTT-3' " insert --(SEQ ID NO:5)-.

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A

5' - CCCGGGGTCTCTGGAAGCCACAAGGTAAACACAACACATCCCCCTCTTGACTATGCAATTTTACTA
 GAGGATGTGGTGGGAAAACCATTTATTTGATATTAAACAAAATAGGCTTGGGATGGAGTAGGATGCAAGCT
 CCCCAGGAAAGTTTAAGATAAAACCTGAGACTTAAAGGGTGTTAAGAGTGGCAGCCTAGGGAATTTATC
 CCGGACTCCGGGGAGGGGGCAGAGTCACCAGCCTCTGCATTTAGGGATTCTCCGAGGAAAAGTGTGAGA
 AP-2
 ACGGCTGCAGGCAACCCAGGCGTCCCGGCGCTAGGAGGACGACCCAGGCCTGCGCGAAGAGAGGGAGAA
 AGTGAAGCTGGGAGTTGCCGACTCCCAGACTTCGTTGGAATGCAGTTGGAGGGGGCGAGCTGGGAGCGCG
 CCAAT box
 CTGCTCCCAATCACAGGAGAAGGAGGAGGTGGAGGAGGAGGGCTGCTTGAGGAAGTATAAAGATGAAGT
 Ets TATA
 TGTGAAGCTGAGATTCCCCTCCATTGGGACCGGAGAAACCAGGGGAGCCCCCGGGCAGCCGCGCGCCCC
 A+1
 TCCCCACGGGGCCCTTTACTGCGCCGCGCGCCCGCCCCCACC-3' (SEQ ID NO: 6)

HER2/neu Promoter Elements

TATA: TBP/TFIID
 Ets: ESX, perhaps also PEA3, ERM
 CCAAT box: NF-Y (also called CP1, CBF, EFl)

B



Fig. 1

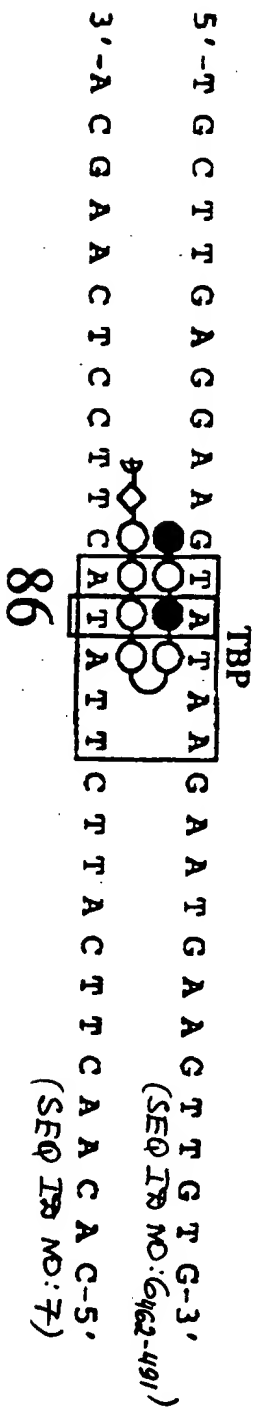
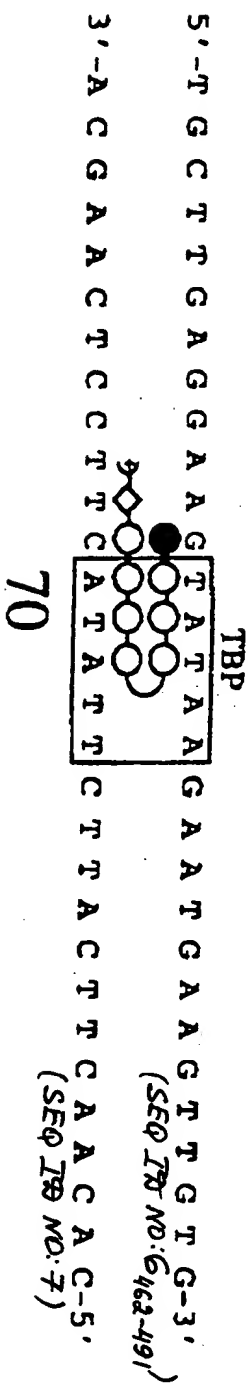
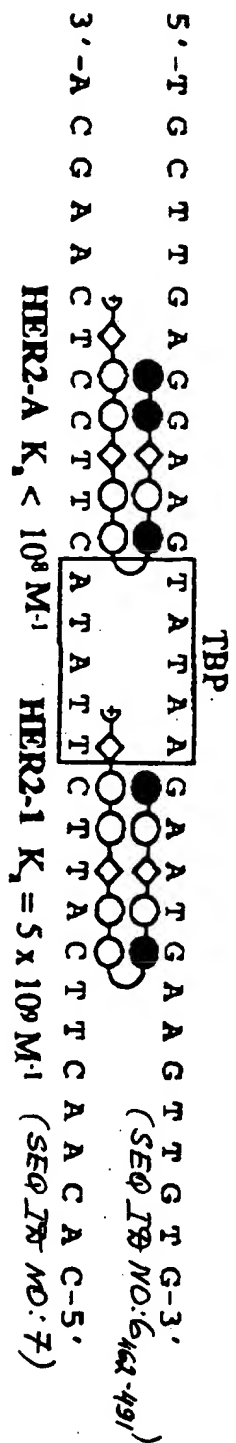


Fig. 3

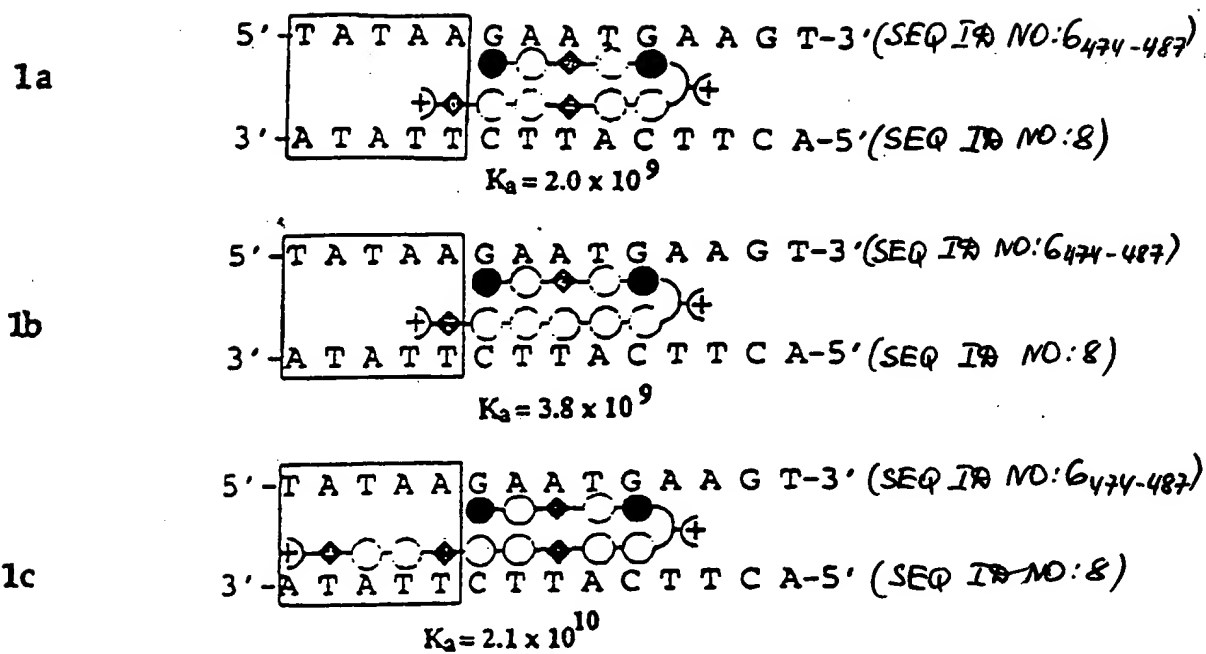


Fig. 7